

Chief Judge Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

DANIEL HERNANDEZ, et al.,

Defendants.

NO. CR19-203RSM

SECOND REVISED SCHEDULING  
ORDER

On August 19, 2021, counsel (Timothy Lohraff) for Fernando Bautista-Sanchez was allowed to withdraw and new counsel (Peter Geisness) was appointed. Dkts. 597 and 602. On September 16, 2021, new counsel for Bautista-Sanchez filed a motion to continue the trial from November 29, 2021 to February 7, 2022. Dkt. 610. The other remaining two defendants pending trial (Doriam Moreno-Rocha and Adrian Sanchez-Esparza) and the government did not object to the continuance and it was granted on September 17, 2021. Dkt. 611. The Court's order continuing the trial also ordered that the parties to file a revised scheduling order resetting the motion deadline consistent with the new trial date. *Id.* a 2. Thus, the United States now submits this Second Revised Scheduling Order, which moves

all previously scheduled dates and deadlines in the previous scheduling order, Dkt. 499, to new dates consistent with that previous order.<sup>1</sup>

The Court, having reviewed the record and files in this case, adopts this revised discovery schedule:

Event	Date
Government to continue to provide discovery under Fed. R. Crim. P. 16(a)(1)(A) – (F) and Local CrR 16(a)(1), including its continuing obligations set forth in Rule 16(c)	Ongoing
Defense to provide reciprocal discovery under Rule 16(b)(1)(A) – (B) and Local CrR 16(a)(2), with continuing obligation per rule 16(c); Defense to provide notices of any defenses alleged under Fed. R. Crim. P. 12.1, 12.2 or 12.3	October 15, 2021
Parties to exchange expert discovery under Rules 16(a)(1)(G) and 16(b)(1)(C)	November 24, 2021
Pretrial motions deadline	December 9, 2021
Government to identify FRE 404(b) evidence, if any	January 7, 2022
Parties to exchange draft transcripts of recorded calls and/or meetings for proposed use at trial.	January 7, 2022
Parties to exchange objections/proposed revisions to transcripts as to form and content.	January 21, 2022
Parties to exchange <i>Jencks</i> Act Fed. R. Crim. P. 26.2 and <i>Giglio</i> impeachment materials, including information covered by Fed. R. Evid. 806 materials <i>except</i> for government cooperating witnesses or confidential source witnesses.	January 21, 2022
Parties to exchange all summary exhibits and underlying data under Fed. R. Evid. 1006; Parties to provide rebuttal expert disclosures	January 24, 2022

<sup>1</sup> For example, if the deadline was 30 days prior to the November 29, 2021 trial date in the previous scheduling order, the deadline is now reset to 30 days prior to the new trial date of February 7, 2022.

1	Government's Trial Brief, Exhibit List, Witness List and	January 24, 2022
2	Proposed Jury Instructions due (CrR 23.1 and CrR 23.3(a) and	
3	(b), CrR30(a))	
4	Defendants' Trial Brief, Exhibit List, Witness List and	January 28, 2022
5	Proposed Jury Instructions due (CrR 23.1 and CrR 23.3(a) and	
6	(b), CrR 30(a))	
7	Government to produce <i>Jencks</i> Act, Fed. R. Crim. P. 26.2 and	January 28, 2022
8	<i>Giglio</i> impeachment materials, including information covered	
9	by Fed. R. Evid. 806 (if any) for government cooperating	
10	witnesses and/or confidential source witnesses (if any).	
11	All Motions in Limine and Propose Voir Dire due (CrR23.2)	January 28, 2022
12	File proposed trial exhibits (General Order 01-18) and	February 7, 2022, at
13	commence Trial	9:00 a.m.

14 Modifications to the deadlines set forth in this Order may be made by the Court  
 15 based on changing circumstances or for other good cause shown.

16 DATED this 28<sup>th</sup> day of September, 2021.

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19 RICARDO S. MARTINEZ  
 20 CHIEF UNITED STATES DISTRICT JUDGE

21 Presented by:  
 22 TESSA M. GORMAN  
 23 Acting United States Attorney

24 /s C. Andrew Colasurdo  
 25 C. ANDREW COLASURDO  
 26 Assistant United States Attorney

27 /s Stephen P. Hobbs  
 28 STEPHEN P. HOBBS  
 Assistant United States Attorney